

Form PTO-1594  
(Rev. 03/01)  
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06-24-2005  
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DEPARTMENT OF COMMERCE  
S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
The Bank of Nova Scotia

- ☐ Individual(s) ☐ Association  
☐ General Partnership ☐ Limited Partnership  
☐ Corporation-State  
☒ Other Bank

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☐ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☒ Other Release of Security Agreement

Execution Date: 12/28/2004

2. Name and address of receiving party(ies)

Name: Western Industries, Inc.

Internal

Address:

Street Address: 1215 N. 62nd Street

City: Milwaukee State: WI Zip: 53213

- ☐ Individual(s) citizenship  
☐ Association  
☐ General Partnership  
☐ Limited Partnership  
☒ Corporation-State Wisconsin  
☐ Other

If assignee is not domiciled in the United States, a domestic representative designation is attached: ☐ Yes ☒ No  
(Designations must be a separate document from assignment)  
Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or registration number(s):

A. Trademark Application No.(s)  
see attached

B. Trademark Registration No.(s)  
see attached

Additional number(s) attached ☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ida Magin

Internal Address: CSC

Street Address:

80 State street, 6th floor

City: Albany State: NY Zip: 12207

6. Total number of applications and registrations involved: 2

7. Total fee (37 CFR 3.41): \$ 65.00

- ☒ Enclosed  
☐ Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Ida Magin

Name of Person Signing

Signature

01/06/2005

Date

Total number of pages including cover sheet, attachments, and document: 7

01/07/2005 DBYRNE 00000152 1430064

01 FC:6521  
02 FC:8522

Mail documents to be recorded with required cover sheet information to:  
40.00 OP  
25.00 OP  
Commissioner of Patent & Trademarks, Box Assignments  
Washington, D.C. 20231

TRADEMARK  
REEL: 003187 FRAME: 0421

SCHEDULE I  
to Trademark Security Agreement  
(Western Industries, Inc.)

Item A. Trademarks

Registered Trademarks

	<u>Country</u>	<u>Trademark</u>	<u>Registration No.</u>	<u>Registration Date</u>
USA		Chilton and design	1,430,864	3/3/87
USA		Western Outdoors	1,993,944	8/13/96

Pending Trademark Applications

None

Item B. Trademark Licenses

None

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RELEASE OF SECURITY INTEREST  
IN INTELLECTUAL PROPERTY COLLATERAL

This RELEASE OF SECURITY INTEREST IN INTELLECTUAL PROPERTY COLLATERAL (this "Release"), dated as of December 31, 2004, is made by The Bank of Nova Scotia, as administrative agent (the "Administrative Agent") under the Credit Agreement referred to below (terms used in this Release and not herein defined shall have the meanings set forth in the Credit Agreement).

WHEREAS, Western Industries, Inc., a Wisconsin corporation (the "Borrower") and the Administrative Agent entered into that certain Credit Agreement, dated as of June 23, 1999 (as amended, supplemented, amended and restated or otherwise modified from time to time, the "Credit Agreement"), by and among the Borrower, Western Industries Holding Corporation, a Delaware corporation ("Holding"), certain financial institutions and other Persons from time to time parties thereto (collectively, the "Lenders"), Merrill Lynch Capital Corporation, as Syndication Agent and Co-Lead Arranger and Co-Book Manager, Bankers Trust Company, as Co-Arranger and Documentation Agent and The Bank of Nova Scotia, as Administrative Agent, pursuant to which Credit Agreement the Lenders made credit extensions to the Borrower;

WHEREAS, the Borrower granted security interests in certain property pursuant to the agreements attached as Annex I hereto (collectively, the "Security Agreements"); and

WHEREAS, the Security Agreements were recorded in the U.S. Patent and Trademark Office;

NOW THEREFORE, the Administrative Agent hereby RELEASES, without representation, recourse or warranty whatsoever, all of its security interest in the collateral granted pursuant to the Security Agreements, including, without limitation, the collateral listed on the schedules attached to each of the Security Agreements.

The Administrative Agent agrees, at the Borrower's expense, to cooperate with the Borrower and to provide the Borrower with the information and additional authorization necessary to effect the release of the Administrative Agent's security interest in the released collateral described herein.

IN WITNESS WHEREOF, the Administrative Agent has executed this Release as of the date first above written.

THE BANK OF NOVA SCOTIA,  
as Administrative Agent

By: *Diane Emanuel*  
Name: DIANE EMANUEL  
Title: DIRECTOR

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